



HOUSE OF COMMONS  
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## BRIEFING PAPER

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# School inspections in England: Ofsted

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2. Inspection process
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# Summary

## Scope of briefing

This briefing provides background on Ofsted inspections of state-funded schools in England, and looks at recent developments in school inspection. It covers FAQs including:

- How often are Ofsted inspections carried out?
- What consequences do the different inspection grades have for schools?
- What evidence do inspectors look at as part of the inspection process?
- How does a school complain about an Ofsted inspection?

It mostly covers England. Separate inspection arrangements apply in Wales, Scotland and Northern Ireland.

## Ofsted's remit

Ofsted inspects all maintained and academy schools in England, and around half of independent schools, against the relevant inspection framework. It also inspects other services, including childcare, social care and further education.

## Ofsted's school inspection framework from September 2015

In September 2015, a new common inspection framework was introduced to cover early years providers, state-funded schools, some independent schools and further education and skills providers in England. This framework sets out the principles behind inspections, and is accompanied by separate inspection handbooks for each sector.

September 2015 also saw the introduction of short, one-day inspections for mainstream schools graded 'good' at their last full inspection.

## Consequences of inspections for schools

There are four overall judgements that Ofsted can reach about schools: Outstanding; Good; Requires Improvement; and Inadequate. Inadequate is further subdivided into two categories, serious weaknesses or requiring special measures.

In line with the *Education and Adoption Act 2016*, an inadequate overall grading of a maintained school triggers the mandatory issue of an academy order.

## Complaints about Ofsted inspections

Ofsted has published complaints procedures; individuals and schools concerned about inspections should follow these. There are time limits on lodging some complaints.

Complainants unhappy with Ofsted's response may be able to ask the Independent Complaints Arbitration Service for Ofsted (ICASO) to examine their case, but ICASO cannot overturn an Ofsted inspection judgement. Some complainants may also be able to ask the Parliamentary and Health Services Ombudsman (PHSO) to look at their complaint, but again the PHSO cannot overturn Ofsted's findings.

# 1. Background to school inspection

## 1.1 School inspection in England: Ofsted

Ofsted is a non-ministerial department that reports directly to Parliament. It inspects maintained and academy schools (including free schools), some independent schools, and a wide range of other providers in England.

The position of Her Majesty's Chief Inspector is currently held by Amanda Spielman. She was preceded by Sir Michael Wilshaw.

The current Chair of Ofsted's board is Julius Weinberg.

## 1.2 School inspection in Wales, Scotland and Northern Ireland

### Wales

Estyn is the inspectorate for state-funded schools, independent schools and many other types of provider in Wales.

Further information about school inspection in Wales can be found on the [Estyn website](#).

### Scotland

Schools in Scotland are inspected by Education Scotland. Further information about inspection for primary schools, secondary schools and other providers can be found on the [Education Scotland website](#).

### Northern Ireland

The [Education and Training Inspectorate \(Northern Ireland\)](#) (ETI) is responsible for inspecting schools and other education and training providers in Northern Ireland. Information about the evidence considered, and what happens during and after an inspection, can be found in an ETI website article:

- ETI website article, '[information about inspection](#)', undated.

## 1.3 Who inspects different types of schools in England?

This note mainly concerns inspections of state-funded schools, although Ofsted also inspects around half of independent schools in England. The remainder are inspected by either the Independent Schools Inspectorate (ISI) or the School Inspection Service (SIS). The table below shows which inspectorate is responsible for inspecting different types of school.

Type of school	Inspectorate responsible
Maintained mainstream schools, academies, pupil referral units/ alternative provision academies	Ofsted
Maintained and non-maintained special schools and special academies	Ofsted
Independent schools that are affiliated to the Independent Schools Council (ISC)	Independent Schools Inspectorate
Independent schools that are members of the Focus Learning Trust; some Cognita and Steiner Schools	School Inspection Service
Independent schools that are members of the Christian Schools' Trust or the Association of Muslim Schools	Ofsted, formerly the Bridge Schools Inspectorate.
Independent schools – not affiliated to the ISC ('non-association schools') or one of the bodies above.	Ofsted
Boarding and residential provision in some independent schools, all maintained schools, and residential special schools. <sup>1</sup>	Ofsted

<sup>1</sup> The ISI inspects independent boarding provision at schools not affiliated to the Independent Schools Council.

## 2. Inspection process

### 2.1 What do routine inspections of state schools look at?

#### 'Full' Section 5 inspections

Maintained schools and academies are inspected in line with Ofsted's common inspection framework, introduced in September 2015.

Ofsted is required to undertake routine inspections of qualifying schools at prescribed intervals. These are sometimes known as 'full section 5 inspections' after the relevant section of the *Education Act 2005*, as amended. There are special arrangements for schools judged 'good' or 'outstanding' overall at their last full inspection – see S 2.2 below.

For full Section 5 inspections, Inspectors are required to report separate judgements on:

- The effectiveness of leadership and management.
- The quality of teaching, learning and assessment.
- Personal development, behaviour and welfare.
- Outcomes for pupils.

Inspectors will always make a written judgement on the effectiveness of the arrangements for safeguarding pupils.

In making a judgement on overall effectiveness, inspectors will also take account of the effectiveness and impact of the provision for pupils' spiritual, moral, social and cultural development and how well the school meets pupil needs, including the needs of pupils with special educational needs or disabilities (SEND).

Further detail about evaluation criteria and the evidence Ofsted considers prior to and during a full inspection can be found in:

- [Ofsted, School inspection handbook from September 2015 \(Section 5\), last updated April 2018.](#)

#### Section 8 inspections

'Section 8' inspections, named for Section 8 of the *Education Act 2005*, as amended, can be carried out in a range of different circumstances, including:

- For monitoring schools judged 'requires improvement' or 'inadequate' overall.
- For short one-day inspections of schools judged 'good' at their last full Section 5 routine inspection (see section below).
- For investigating concerns about behaviour and other matters.

There is a [separate inspection handbook](#) for Section 8 inspections.

## 2.2 How often are state schools currently inspected?

**Table 1: Frequency of routine Ofsted inspections of mainstream primary and secondary state -funded schools**

Judgement at last S5 inspection	Usual cycle
Outstanding	Exempt from further section 5 inspections but may be inspected if concerns arise or in certain other circumstances. <sup>2</sup>
Good	Short one-day inspection under S8 usually once every four years; some schools receive a full S5 inspection if concerns arise about performance.
Requires improvement	Will usually have a full re-inspection within 30 months.
Inadequate – serious weaknesses or special measures	Arrangements differ depending on school status and other factors – see para 108 onward of the <a href="#">School inspection handbook (Section 5)</a> , and S 3, below.

### Exempt schools

Mainstream primary and secondary schools that were judged as 'outstanding' at their last full Section 5 inspection are exempt from further inspection under Section 5. This does not apply to special schools, pupil referral units, and maintained nursery schools judged 'outstanding', who are still eligible for inspection under Section 5.

Exemption from routine inspection doesn't mean that outstanding schools will never be inspected. Circumstances in which they might receive a further inspection (under section 8 of the 2005 Act) are outlined in paragraphs 15 to 20 of Ofsted's School Inspection Handbook (Section 5).

Special schools, pupil referral units and maintained nursery schools judged outstanding at their last full inspection will usually receive short inspections at least every four years, in common with mainstream schools judged good– there's more on short inspections, below.

<sup>2</sup> Some categories of providers judged outstanding are not exempt from inspection, e.g., special schools, pupil referral units/ alternative provision schools and maintained nursery schools.

### Short inspections

Schools graded 'good' at their last full Section 5 inspection will usually receive a shorter, one-day inspection under Section 8 of the *Education Act 2005*, as opposed to a full re-inspection. This policy was first introduced in September 2015. Non-exempt schools judged 'outstanding' will also usually receive short inspections.

Following the publication of a revised version of the School Inspection Handbook in April 2018, schools graded 'good' can now expect to receive a short inspection approximately every four years. Previously, they could expect another short inspection approximately every three years.

Where Ofsted's own risk-assessment or other data indicates a 'good' school's performance could have "deteriorated significantly", then there will be a full Section 5 inspection, instead. Ofsted estimates that this will apply to around one fifth of 'good' schools.<sup>3</sup>

There are several possible outcomes from a short inspection. They are:

Outcome 1 – the school continues to be a good school or

Outcome 2 – the school remains good and there is sufficient evidence of improved performance to suggest that the school may be judged outstanding if it received a section 5 inspection now. The school will be informed that its next inspection will be a section 5 inspection, which will typically take place within one to two years or

Outcome 3 – the lead inspector is not satisfied that the school would receive at least its current grade if a section 5 inspection were carried out now. The school will be informed that its next inspection will be a section 5 inspection within the statutory timeframe, which will typically take place within one to two years or

Outcome 4 – the lead inspector has gathered evidence that suggests the school may be inadequate in one or more of the graded judgements under section 5 inspections; there are serious concerns about safeguarding, pupils' behaviour or the quality of education; there are concerns that the performance of an outstanding non-exempt school could be declining to 'requires improvement'. The short inspection will be converted to a section 5 inspection, usually within 48 hours.

46. Inspectors will always report on whether or not safeguarding is effective. If safeguarding is not effective, the lead inspector will always convert the short inspection to a section 5 inspection.<sup>4</sup>

## 2.3 Inspection of new schools and schools that have changed status

Wholly new free schools and maintained schools that have been replaced by a sponsored academy usually receive a full inspection within three years of opening. Converter academies may be subject to the

<sup>3</sup> Ofsted, School inspection handbook from September 2015, April 2018, p10.

<sup>4</sup> Ofsted, School inspection handbook – Section 8, April 2018, pp11-12



short inspection regime, or may be exempt from routine inspection, depending on the inspection history of their predecessor school.

Further details about the arrangements for inspecting new schools can be found in:

[Ofsted, How Ofsted will select new schools for inspection, June 2017](#)

## **2.4 How much notice do schools get before an inspection?**

Schools are usually notified the working day prior to the start of a school inspection. However, Ofsted has powers to undertake inspections without notice in certain circumstance – for example, in response to receiving qualifying complaints or other evidence about standards or safety at a school.

### **Deferring an Ofsted inspection**

In exceptional circumstances, schools may be able to request that their inspection is deferred. More information on deferral policy can be found in the following document:

- [Ofsted, Deferring Ofsted inspections, June 2016](#)

## 3. Inspection outcomes

### 3.1 What are the main outcomes of inspections?

There are four main categories of overall judgement on a school's effectiveness:

- Outstanding (Grade 1)
- Good (Grade 2)
- Requires Improvement (Grade 3)
- Inadequate (Grade 4)

#### **Schools graded inadequate – serious weakness and special measures**

The inadequate grading is sub-divided into two further categories.

Schools with serious weaknesses (and in need of significant improvement) are deemed so because:

104. A school is judged to have serious weaknesses because one or more of the key judgements is inadequate (grade 4) and/or there are important weaknesses in the provision for pupils' spiritual, moral, social and cultural development.<sup>5</sup>

In line with Section 44 of the *Education Act 2005*, as amended, a school is deemed to require special measures if:

- It is failing to give its pupils an acceptable standard of education and
- The persons responsible for leading, managing or governing are not demonstrating the capacity to secure the necessary improvement in the school.<sup>6</sup>

### 3.2 What happens if a school is judged as 'inadequate'?

#### **Academy conversion is mandatory when a maintained school is rated inadequate**

The *Education and Adoption Act 2016* places a duty on the Secretary of State for Education to make an academy order if a maintained school is deemed inadequate by Ofsted. The Department for Education's [Schools causing concern](#) guidance says:

The Secretary of State has a duty to make an academy order in respect of any maintained school that has been judged inadequate by Ofsted, to enable it to become an academy and receive additional support from a sponsor.

The RSC, acting on behalf of the Secretary of State, will take responsibility for ensuring that the maintained school becomes a

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<sup>5</sup> Ofsted, [School inspection handbook from September 2015](#), April 2018, p33.

<sup>6</sup> *Ibid.*, p33

sponsored academy as swiftly as possible, including identifying the most suitable academy trust and brokering the new relationship between that trust and the maintained school. Further details about academy orders are set out in Chapter 4 of this guidance.<sup>7</sup>

## What happens when academies or free schools are deemed inadequate?

Local authorities have no general power to intervene in academy or free schools deemed inadequate. However, the Education and Skills Funding Agency (ESFA), the Regional Schools Commissioner (RSC) or the Secretary of State for Education may intervene in these schools.

Regional Schools Commissioners are DfE appointees. There are eight RSCs, each covering different regions of England. The DfE's 'Schools causing concern' guidance explains:

As a result of the Education and Adoption Act 2016, regardless of the terms in an academy's funding agreement, the RSC (on behalf of the Secretary of State) can terminate the funding agreement of an academy that has been judged inadequate. This is a power rather than a duty, meaning the RSC may decide to implement other measures to improve the school rather than terminate to bring about a change of trust, for example, where a change of academy trust would prevent the consolidation of improvements in a school [...]

When an academy's funding agreement has been terminated because the academy has been judged inadequate, the RSC will usually identify a new academy trust to take on responsibility for the academy, and will enter into a new funding agreement in respect of that academy (this is sometimes referred to as 'rebrokerage' of the academy). If the academy that was judged inadequate was previously a 'standalone' academy, this will generally mean it will join a multi-academy trust (MAT). The academy will remain open, and the RSC and the new academy trust will work to ensure minimal disruption to pupils' education during the transition. In some exceptional cases, where the academy is not considered viable in the long term, the RSC can move to terminate the funding agreement in order to close it.<sup>8</sup>

## Inspection frequency following 'inadequate' judgement

Where a maintained school graded inadequate subsequently converts to academy status, or an academy is graded inadequate and transfers to a new sponsor, the School Inspection Handbook makes clear that such schools will usually receive a full re-inspection within three years. In some cases, though, a S8 inspection will be carried out before this.

The arrangements are slightly different for academies judged inadequate but which are not transferred to new academy trusts. The Handbook says:

110. Academies judged to have serious weaknesses, which are not rebrokered, will be subject to monitoring by Ofsted. They will normally be re-inspected within 30 months of the inspection in which they were judged to have serious weaknesses.

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<sup>7</sup> DfE Statutory Guidance [Schools causing concern](#), February 2018, p30.

<sup>8</sup> *Ibid*, pp31-32.

111. Academies judged to require special measures, which are not rebrokered, will be subject to monitoring by Ofsted. The timing of the next section 5 inspection will be determined by the academy's rate of improvement. However, it will normally take place within 30 months after the inspection that judged it to require special measures.<sup>9</sup>

### 3.3 'Coasting' schools

In a speech on 2 February 2015, then Prime Minister David Cameron suggested that schools graded requires improvement and which could not "demonstrate the capacity to improve" would be required to become sponsored academies.<sup>10</sup>

The *Education and Adoption Act 2016* subsequently gave the Secretary of State substantial new powers, including the power to make an academy order, when a school was deemed to be coasting.

The definition of 'coasting' is set out in regulations (the *Coasting Schools (England) Regulations 2017*, SI 2017/0009); it is based on measures of pupil attainment and performance over time, and does not take account of Ofsted judgements.

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<sup>9</sup> Ofsted, [School inspection handbook from September 2015](#), April 2018, p34.

<sup>10</sup> '[A Britain that gives every child the best start in life](#)', speech by David Cameron, 2 February 2015.

## 3.4 Complaining about an Ofsted inspection

### Internal complaints

Providers who are unhappy about the way an inspection is being carried out are encouraged to discuss any concerns with the inspection team. There should also be an opportunity for the school to fact-check a draft of the resulting report for accuracy.

Providers that are still unhappy with the outcome of an Ofsted inspection can follow the remaining stages of Ofsted's published internal complaints procedure, as laid out in the following document:

- [Ofsted Guidance, Complaints about Ofsted, April 2017.](#)

There are time-limits for submitting complaints.

### Complaining to the Independent Complaints Adjudication Service for Ofsted (ICASO)

After following internal complaints procedures, schools and other providers may also be able to complain to the Independent Complaints Adjudication Service for Ofsted (ICASO).

ICASO can consider complaints about a range of issues including alleged discourtesy during inspections, failure to apologise or accept mistakes, and failure to follow procedures, but it cannot overturn inspectors' judgements. ICASO publishes annual reports on its role. The most recent is for 2016:

- [Independent Complaints Adjudication Service for Ofsted \(ICASO\), Annual report 2016, published March 2017](#)

Individuals or private organisations unsatisfied with the outcome of an ICASO review may be able to ask the Parliamentary and Health Service Ombudsman to look at the issue.

## 4. Current issues

### 4.1 Ofsted five-year strategy and Annual Report 2017

Ofsted published its [strategy for the period 2017 to 2022](#) in September 2017.<sup>11</sup> For schools, measures included:

- More surveys and inspections of schools graded 'outstanding', and, potentially, longer intervals between inspections for schools graded 'good', than currently.
- Allied to this, more 'aggregate' reports highlighting good and bad practice.

Ofsted's latest [annual report](#) (for 2016/17) was published in December 2017.<sup>12</sup>

Key points relating to schools included:

- Overall, the life chances of the "vast majority of young people were the best they had ever been", with 90% of primary schools and 79% of secondary schools rated good or outstanding.<sup>13</sup>
- There was a "small but persistent group of underperforming schools that have not improved enough over very many years. This includes some whose underperformance has lasted for a decade or more."<sup>14</sup>
- Following a short inspection, 'good' primary schools were more likely than secondary schools to either retain their 'good' grading or improve to 'outstanding'.<sup>15</sup>
- Ofsted would continue to work with the DfE on the inspection grading structure, and in future would give more prominence to the underlying judgements (e.g., on separate aspects like leadership and governance).<sup>16</sup>
- With regard to non-association independent mainstream schools (which Ofsted inspects), the proportion deemed 'good' or 'outstanding' has declined in recent years from 79% in 2014 to 60% in 2017. This decline was caused by a combination of:
  - Schools failing to meet the new [regulatory] standards introduced by the DfE in 2014 and 2015.
  - Safeguarding issues
  - A sharp decline in inspection outcomes for faith schools, exacerbated by the number of faith schools inspected by Ofsted increasing in the period.

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<sup>11</sup> Ofsted, [Ofsted strategy: 2017-2022](#), 29 September 2017.

<sup>12</sup> Ofsted, [The annual report of Her Majesty's Chief Inspector of Education, Children's Services and Schools 2016/17](#), 13 December 2017.

<sup>13</sup> Ofsted press release, ['Ofsted Chief Inspector launches her first Annual Report on state of education and children's care in England'](#), 13 December 2017.

<sup>14</sup> *Ibid.*, p7.

<sup>15</sup> *Ibid.*, p34

<sup>16</sup> *Ibid.*, p38

- Failing schools taking too long to improve.<sup>17</sup>

## 4.2 Inspection of Multi-academy trusts

Multi-academy trusts (MATs) are (usually) groups of academies overseen by one central organisational structure and board of trustees. Ofsted don't currently have powers to inspect whole MATs.

Ofsted does, however, publish the results of focused 'batched' inspections of schools within MATs in the form of outcome letters:

- [Ofsted document collection, 'Ofsted inspections of multi-academy trusts: Outcome letters'](#).

On 28 February 2017, the then- Education Committee published a report on multi-academy trusts:

- [Education Committee report, 'Multi-academy trusts', 28 February 2017](#).

On the inspection of MATs, this concluded:

27. There is a gap in assessing MATs which neither Ofsted nor RSCs [Regional Schools Commissioners] presently fulfil. The current situation of Ofsted conducting 'batched inspections' is not sustainable or sufficient as MATs expand over the next five to six years. It is not a formal inspection or accountability process and does not necessarily lead to intervention from Ofsted or the Department.

28. Ofsted needs a new framework for MAT inspections and should develop the resources, skills and powers to conduct full inspections of trusts.<sup>18</sup>

At her pre-appointment hearing with the Education Committee, Amanda Spielman was asked about MAT inspections. In response, she said:

The system is evolving rapidly. I cannot imagine that, in a few years' time, it would be possible to have an inspection system that does not include multi academy trusts [...] Over time I think it is highly likely that we will end up with a multi-layered inspection model, and for me that would be a good development, but I think it is something that is part of the evolution of the system. It is not something that you can just snap a switch and say, "This is it".<sup>19</sup>

Giving further evidence to the Committee in October 2017, Ms Spielman repeated her previous arguments, saying she "would like Ofsted to be looking at the quality at multi-academy trust level, not just at individual school level [...] Looking at developing the batched inspection, it needs to be developed quite a long way to be something that properly addresses the system as it operates."<sup>20</sup>

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<sup>17</sup> Ofsted, [The annual report of Her Majesty's Chief Inspector of Education, Children's Services and Schools 2016/17](#), 13 December 2017, p44

<sup>18</sup> Education Committee, [Multi-academy trusts. Seventh Report of Session 2016–17](#), HC 204, p11.

<sup>19</sup> Education Committee, [Oral evidence: Appointment of Her Majesty's Chief Inspector of Education, Children's Services and Skills](#), HC 170, Wednesday 29 Jun 2016, Q58.

<sup>20</sup> Education Committee, [Oral evidence: Accountability hearings](#), HC 342, 31 October 2017, Q130-131.

In response to a PQ of 10 November 2017, then-Education Secretary Justine Greening said that the Government had no plans to allow Ofsted to inspect whole MATs at this time, but that the DfE was “working with Ofsted to develop new approaches to better scrutinise MATs, and the legal framework already has sufficient provisions to take this forward. We will publish details in due course”.<sup>21</sup>

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<sup>21</sup> [PQ 111242 \(Academies: Inspections\), 10 November 2017.](#)



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